

8

Notice of Allowability	Application No.	Applicant(s)	
	10/706,536	PERRICONE, NICHOLAS V.	
	Examiner	Art Unit	
	Son M. Tang	2612	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/21/06.
2. ☒ The allowed claim(s) is/are 1-7, 10-20 and 22-29.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date <u>20060626</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Stephen P. McNamara on 6/26/06.

The application has been amended as follows:

In the list of claims,

Claim 1: line 11, after "the vehicle" inserts --wherein said plurality of vibratory units is distributed on the operator's torso, head and legs--

Claims 8-9: (Cancelled).

Claim 10: line 3, replace "object" with --vehicle--, line 9, delete "object" insert --vehicle; wherein the plurality of vibratory units indicate a three-dimensional location of the identified threat relative to the vehicle; wherein said plurality of vibratory units is distributed around the operator's torso--.

Claim 11: line 3, replace "object" with --vehicle--.

Claim 12: line 3, replace "object" with --vehicle--.

Claim 13: line 3, replace "object" with --vehicle--.

Claim 16: line 2, replace "object" with --vehicle--, line 4, replace "object" with --vehicle--, line 9, delete "object" insert --vehicle; wherein the plurality of vibratory units indicate a three-

Art Unit: 2612

dimensional location of the identified threat relative to the vehicle; wherein said plurality of vibratory units is distributed around the operator's torso--.

Claim 17: line 3, replace "object" with --vehicle--.

Claim 18: line 3, replace "object" with --vehicle--.

Claim 21: (Cancelled).

Claim 22: line 7, replace "object" with --vehicle--, line 12, after "person" insert --wherein the plurality of vibratory units indicate a three-dimensional location of the identified threat relative to the vehicle; wherein said plurality of vibratory units is distributed around the operator's torso—

Claim 28: line 5, replace "object" with --vehicle--.

Claim 29: line 5, replace "object" with --vehicle--.

2. The following is an examiner's statement of reasons for allowance: The present invention is directed to a threat detection system. Each independent claim identifies the uniquely distinct features "an alert to an operator of a vehicle relating to a threat identified by a threat detection system, including a plurality of vibratory units distributed around the operator's torso in tactile communication with the operator, the plurality of vibratory units generated based upon a determined direction and distance of the identified threat relative to the vehicle and the vibratory units indicate a three-dimensional location of the identified threat relative to the vehicle" in combination with the manner claimed. The closest prior arts, Chambre [US 4,967,641], Ewart [US 4,008,456], Morag [US 4,713,651] and Hirsch [US 3,736,551] teach similarly inventions, however, they fail to show the distinct combination limitations above. Therefore, either

Art Unit: 2612

singularly or in combination, fail to anticipate or render the above underlined limitations obvious.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Son M. Tang whose telephone number is (571)272-2962. The examiner can normally be reached on 4/9 First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel J. Wu can be reached on (571)272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Son Tang


BENJAMIN C. LEE
PRIMARY EXAMINER